

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

KIMBERLEY GAIL HANKS

PLAINTIFF

v.

Civil No. 05-2145

CHERYL BORUM; and
CARRIE DOWDY,
Deputy/Floor Officer

DEFENDANTS

ORDER OF DISMISSAL

Kimberly Gail Hanks filed this pro se civil rights action pursuant to 42 U.S.C. § 1983 on October 21, 2005. Her complaint was filed in forma pauperis (IFP).

On May 31, 2006, defendants filed a motion for summary judgment (Doc. 28). On July 14, 2006, the undersigned entered an order (Doc. 31) directing Hanks to complete, sign and return an attached questionnaire that would serve as her response to the summary judgment motion. The plaintiff's response to the questionnaire was to be returned by August 18, 2006. To date, the plaintiff has failed to respond to the questionnaire.

On July 26, 2006, Hanks advised the court of a change of address. (Doc. 32). A change of address was entered on her behalf. On July 28, 2006, all mail that had been returned as undeliverable was re-mailed to the plaintiff at the new address. (Doc. 33).

Since that time, no further mail has been returned as undeliverable. Hanks has not requested an extension of time to respond to the questionnaire. She has not otherwise communicated with the court.

I therefore find Hanks' claims should be and hereby are dismissed on the grounds she has failed to prosecute this action and has failed to comply with the order of the court. *See Fed. R. Civ. P. 41(b).*

DATED this 31st day of August 2006.

/s/ Beverly Stites Jones

UNITED STATES MAGISTRATE JUDGE